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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/617,807	07/14/2003	Shao-Chueh Hu	BHT-3212-31	4169	
TROXELLIA	7590 12/19/2006 W OFFICE PLLC	EXAMINER			
SUITE 1404			GOMA, TAWFIK A		
5205 LEESBU FALLS CHUR	RG PIKE CH, VA 22041		ART UNIT	PAPER NUMBER	
	,		2627	•	
		•	MAIL DATE	DELIVERY MODE	
			12/19/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

Application No.		Applicant(s)	
10/617,807		HU, SHAO-CHUEH	
	Examiner	Art Unit	
	Tawfik Goma	2627	

		Tawik Gona	2021					
	The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress				
THE R	HE REPLY FILED 22 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.							
t F	The reply was filed after a final rejection, but prior to or on his application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance ime periods:	wing replies: (1) an amendment, af tice of Appeal (with appeal fee) in	fidavit, or other eviden compliance with 37 Cl	nce, which FR 41.31; or (3)				
a) [	$\boxtimes$ The period for reply expires $3$ months from the mailing date	of the final rejection.						
b) L	no event, however, will the statutory period for reply expire le Examiner Note: If box 1 is checked, check either box (a) or	ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN TH	g date of the final rejecti	on.				
have be under 3 set fort may re	TWO MONTHS OF THE FINAL REJECTION. See MPEP 70 cons of time may be obtained under 37 CFR 1.136(a). The date seen filed is the date for purposes of determining the period of ex 17 CFR 1.17(a) is calculated from: (1) the expiration date of the shin (b) above, if checked. Any reply received by the Office later duce any earned patent term adjustment. See 37 CFR 1.704(b) CE OF APPEAL	on which the petition under 37 CFR 1. tension and the corresponding amount shortened statutory period for reply origr than three months after the mailing da	of the fee. The appropri	ate extension fee ce action; or (2) as				
2. 🔲 <sup>-</sup> f	The Notice of Appeal was filed on A brief in compiling the Notice of Appeal (37 CFR 41.37(a)), or any extended a Notice of Appeal has been filed, any reply must be filed DMENTS	nsion thereof (37 CFR 41.37(e)), to	o avoid dismissal of th					
3. 🔲	The proposed amendment(s) filed after a final rejection, a) They raise new issues that would require further co b) They raise the issue of new matter (see NOTE belo c) They are not deemed to place the application in bel appeal; and/or	nsideration and/or search (see NOw);	TE below);					
(	d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).		jected claims.					
=	The amendments are not in compliance with 37 CFR 1.1	21. See attached Notice of Non-Co	ompliant Amendment	(PTOL-324).				
	Applicant's reply has overcome the following rejection(s)							
r	Newly proposed or amended claim(s) would be allowable claim(s).			_				
( ( (	For purposes of appeal, the proposed amendment(s): a) now the new or amended claims would be rejected is profile status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected:  Claim(s) withdrawn from consideration:		ill be entered and an e	explanation of				
	AVIT OR OTHER EVIDENCE	·						
t	The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).							
•	The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe	al and/or appellant fai	ils to provide a				
	The affidavit or other evidence is entered. An explanatio	n of the status of the claims after e	entry is below or attach	ned.				
	EST FOR RECONSIDERATION/OTHER		110 C - 11					
	The request for reconsideration has been considered bu see attached response to arguments.		n condition for allowar	nce because:				
	Note the attached Information Disclosure Statement(s). Other:	(PTO/SB/08) Paper No(s)						

Art Unit: 2627

## Response to Arguments

Applicant's arguments filed 11/22/2006 have been fully considered but they are not persuasive.

Applicant's arguments that Packer fails to disclose buffering subcodes and corresponding data blocks to the same buffering unit is not persuasive because Packer discloses that the blocks are not released until both the subcode and its corresponding data block is in the buffer unit (518, fig. 5a and col. 7 lines 42-51). Applicant argues that Packer synchronizes the data during the releasing operation, and as such it does not read on the claimed limitation requiring the subcode and the data block being buffered to the same buffer unit. This argument is not persuasive because Packer ensures that the subcode and the data block are in fact buffered within the buffer unit 518 prior to allowing the block to be released. Packer discloses that counters are employed to recognize when a complete block is present in the buffer unit such that it contains both a subcode and corresponding data block prior to releasing the information. (col. 7 lines 46-48). By delaying the release, Packer can ensure that both the subcode and corresponding data block are buffered first.

Applicant's arguments that Packer does not detect and control a timing for buffering the data and instead uses counters is not persuasive because Packer discloses detecting a timing when an MSF is detected (col. 7 lines 27-32) and further discloses that the counters correspond to the timing when data blocks are received by the buffer (col. 9 lines 6-13). Therefore, Packer detects a timing when decoding is triggered (MSF detection timing) and also decides the timing when the subcodes are

buffered to the buffer memory by counting the blocks which correspond to the time units (1 count = 1 time unit, see fig. 5c).

Finally applicant's arguments with respect to the fact that the buffer memory receives one data frame and three subcode frames to show that the data and the subcodes are offset within the buffer is not persuasive because Packer discloses that the delay of the release of information from the buffer ensures that the data and the corresponding subcode is present in the buffer unit. The data and the corresponding subcode is not offset within the buffer unit at the instant that it becomes available for release from the memory. Packer's system ensures that the data and the subcodes are both present and form a complete block in the memory prior to their release and therefore there is no offset between the data and the subcodes within the buffer.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tawfik Goma whose telephone number is (571) 272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/617,807

Art Unit: 2627

7,807

Page 4

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T. Goma

12/12/2006

WILLIAM KORZUCH SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600